EXEMPTION FROM SHORELINE MANAGEMENT ACT
SUBSTANTIAL DEVELOPMENT PERMIT REQUIREMENT

Salmon Run Nature Park
SHO15-00013

March 15, 2016

Applicant:
City of Issaquah
Public Works Engineering Department
P.O. Box 1307
Issaquah, WA. 98027
Attn: Dana Zlateff

Proposal: City of Issaquah proposal for a passive park providing public shoreline access and an overall project goal to restore fish and wildlife habitat on 450-foot reach of Issaquah Creek, less than a mile downstream of the Issaquah Salmon Hatchery. The project includes: enhancement of riparian vegetation in the stream buffer, installing in-stream large woody debris, bioengineer the eroding east streambank, providing trails and stream overlooks, and creating side channels to provide floodplain connectivity.

The proposed project would provide channel restoration and fish and wildlife habitat enhancement along a section of Issaquah Creek that has been impacted by typical urban pressures, including; bank armoring, reduced in-stream wood, non-native vegetation along the banks, and reduced effective stream buffer width. The project addresses salmon recovery objectives in the WRIA 8 Chinook Salmon Conservation Plan and is also consistent with the City of Issaquah's environmental restoration and protection policy.

The project proposal includes the following components:

1) The left (west) streambank will be excavated to create a floodplain bench and side channel to improve floodplain connections and allow for future, limited channel migration towards the left bank and away from the eroding right bank. In the process of excavating the floodplain, existing sections of rip rap stream armoring will also be removed. A widened floodplain and created side channel will also increase channel flow conveyance capacity along the project reach, so flooding will not be exacerbated in this urban setting. HEC-RAS hydraulic modeling has been conducted to support this conclusion.

2) A vertical, eroded section along the right streambank is only a few feet from a paved parking area. The project will decrease ongoing scour along the right (east) side of the creek by strategically placing large woody debris and a rounded cobble and small boulder mixture. Logs will be placed in clusters at locations and in configurations designed to dissipate streamflow energy. Placement of coir fabric along the upper right bank, through-planted with native vegetation, will supplement habitat function along that bank.

3) The stream channel is currently lacking in wood structure and defined pool/riffle sequences. A total of 17 log structures will be installed, composed of a total of 56 logs, predominantly with rootwads attached, plus an additional 35 rootwads. These multiple-log structures are size-appropriate for Issaquah Creek and are slightly smaller than what may be commonly considered to be engineered log jams. Rounded cobbles and small rounded boulders are included as specified.

4) Logs will be placed in a somewhat dispersed fashion across the excavated left (west) bank floodplain areas such that they will come into contact with streamflow to provide localized quiet-water refuge areas at different elevations across a range of elevated flows. Pool depressions will not be formed around floodplain log structures in order to avoid or minimize the possibility of fish stranding.

5) Non-native vegetation is prevalent in the project area, including Japanese knotweed, English Ivy, and Himalayan blackberry. Invasive and non-native plant species will be removed and affected areas will be then be revegetated with native plant species to create a functional buffer.

6) Passive recreation opportunities will eventually be incorporated into the park, such as benches, trails with interpretive signage, and selective access to viewpoints along the creek. The proposal includes buffer averaging or adding additional buffer area to mitigate for trail and stream overlooks located within the stream buffer. The improvements are consistent with the Shoreline Master Program (SMP) goals to provide for public access and enjoyment of the shoreline. The City has found it important to provide defined, limited public access to the creek, in order to avoid multiple informal trails and disturbance of riparian planted areas.

7) The proposal includes measures to mitigate construction impacts, including:

- In-water work areas would be isolated from the flowing stream. Fish would be rescued and removed from those areas.
- Heavy equipment used for in- and near-water work will utilize non-toxic (vegetable based) hydraulic fluids, in case of spills, and will be re-fueled away from the stream.
- Spill avoidance and containment procedures and equipment will be in place, and a temporary erosion and sedimentation control plan, as detailed, will be implemented.
- A Hydraulic Project Approval (HPA) issued by the Washington Department of Fish and Wildlife (WDFW) will be required. The HPA will also include measures for Best Management Practices (BMPs) for erosion control and spill prevention, construction sequencing, limiting the seasonal timing of construction work, and potentially other mitigation measures.

Property Location: Issaquah Creek - 810 4th Ave NW, Issaquah Creek south of NW Juniper St.

Shoreline Jurisdiction: Issaquah Creek Urban Conservancy

The proposed development is exempt from a shoreline substantial development permit as outlined in WAC 173-27-040:

WAC 173-27-040(2)(p): *A public or private project, the primary purpose of which is to improve fish and wildlife habitat or fish passage, when all of the following apply:*

(i) The project has been approved in writing by the department of fish and wildlife;

(ii) The project has received hydraulic project approval by the department of fish and wildlife pursuant to chapter 77.55 RCW; and

(iii) The local government has determined that the project is substantially consistent with the local shoreline master program. The local government shall make such determination in a timely manner and provide it by letter to the project proponent.

The Washington Department of Fish and Wildlife (WDFW) issued a Hydraulic Project Approval (HPA) for the project; Permit Number – 2015-4-975+01, issued December 21, 2015.

This shoreline exemption provides information to confirm the project is consistent with the local Shoreline Master Program (SMP).

Shoreline Master Program:

7.3 Public Recreational Use and Development

7.3.1 Policies

1. *The City should provide diverse water-dependent and water-related recreation opportunities that are convenient and adequate for the community and that preserve shoreline resources.*
3. *Recreational uses in shoreline areas should be located where the uses would not result in adverse effects on shoreline functions and processes, and/or neighboring uses.*
6. *Public recreational development should be located where existing infrastructure (roads and utilities) is adequate, commensurate with the number and concentration of anticipated users.*

7.3.2 Regulations

1. *Public water-oriented recreational development is a preferred shoreline use and shall be allowed when consistent with underlying zoning pursuant to IMC 18.10, this Program, and the Act.*
2. *Public recreational developments shall provide for non-motorized access to the shoreline (e.g., pedestrian and/or bicycle paths), unless such access is infeasible due to public health and safety considerations.*
5. *The removal of on-site native vegetation shall be limited to the minimum necessary for the development of picnic areas, selected views or other permitted structures or facilities. Any removal of vegetation shall comply with the regulations for vegetation conservation and all other provisions of this program.*
6. *Proposals for public recreational developments shall comply with the provision of this Program and shall include a landscape plan that uses plant species to be approved by the City. Landscape plans shall incorporate the use of native, self-sustaining vegetation.*
8. *All temporary and/or permanent impacts to the shoreline buffer required for development of recreational facilities shall meet standards of mitigation, as specified by this Program.*
9. *All new recreational development proposals will be reviewed by the City for ecological restoration and public access opportunities. When restoration and/or public access plans indicate opportunities exist, the City may require that those opportunities are either implemented as part of the development project or that the project design be altered so that those opportunities are not diminished.*

5.3 Public Access

5.3.1 Policies

1. *Public shoreline access points and shoreline recreational facilities should be connected by trails, pathways, waterways and other access links where appropriate and feasible. The City should endeavor to integrate public access to shorelines as part of the City public trail system consistent with the adopted Growth Management Act Plan.*
4. *Public access improvements and amenities (such as view points, trails, etc.) should be designed to provide for public safety, to respect individual privacy, and to avoid or minimize visual impacts from neighboring properties.*

5.3.2 Regulations

7. *Public access trails and structures shall be allowed within shoreline buffers subject to the requirements of this Program and the Critical Area Regulations (IMC 18.10), provided that such trails and structures are necessary to provide physical and/or visual access to the shoreline and mitigate for impacts to the shorelines and shoreline buffers.*
11. *Signs which indicate the public's right of access shall be installed and maintained in conspicuous locations at required public access sites.*

5.4 Restoration

5.4.1 Policies

1. *The City should integrate shoreline restoration and enhancement with other parallel efforts such as the WRIA 8 Salmonid Recovery Plan, King County Basin Plans, and the Comprehensive Plan.*
3. *The City should implement approved restoration plans to facilitate the restoration of impaired ecological functions.*
5. *Where feasible, the City should enhance or restore areas that are biologically and/or aesthetically degraded while maintaining appropriate use of the shoreline.*
6. *The City should encourage projects that restore/rehabilitate/enhance shoreline resources using strategies such as a simplified permit process, reduced or waiver of permit fees, provision of mitigation credit, public outreach/assistance, flexible development standards, and City participation in a pilot project.*

5.4.2 Regulations

1. *Restoration of ecological functions and processes shall be allowed on all shorelines and shall be located, designed and used in a manner that observes the critical area regulations of IMC 18.10 and assures compatibility with other shoreline uses.*
2. *Ecological restoration projects shall be carried out in accordance with a City-, county-, or resource agency-approved restoration plan and in accordance with the policies and regulations of this Program.*

Findings:

1. The proposal meets policies and regulations for *Public Recreational Use and Development (7.3)*. It would provide for water-oriented public recreation, which is a preferred shoreline use. It would provide for non-motorized access for public enjoyment of the shoreline.
2. The proposal meets the policies and regulations for *Public Access (5.3)*. Specifically, public access trails and structures are allowed within shoreline buffers provided that such trails and structures are necessary to provide physical and/or visual access to the shoreline. The proposal mitigates for trails/overlook impacts located within the stream buffer with buffer averaging or adding additional buffer area and with enhancement of stream buffer vegetation, consistent with the Critical Areas Regulations.
3. The proposal meets the policies and regulations for *Restoration (5.4)*. It is consistent salmon recovery objectives identified in the *Lake Washington/Cedar River/ Sammamish Watershed (WRIA 8) Chinook Salmon Conservation Plan* (WRIA 8 2005) and the City of Issaquah's restoration plans and policies including the *Stream and Riparian Areas Restoration Plan* (November 2006). The proposal would improve connections to the floodplain, create off-channel habitat and enhance stream buffer vegetation. The proposal would result in an improvement in ecological functions and processes over current conditions.

The proposal meets SMP policies and regulations and no SMP conditions are required.

SEPA: A SEPA Determination of Nonsignificance (DNS) was issued September 17, 2015. No SEPA mitigation measures were required.

Peter Rosen, Senior Environmental Planner
City of Issaquah Development Service Department

cc: Washington State Department of Ecology